

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

IN RE:

INTERPHASE CORPORATION

Debtor

Case No. 15-41732

Chapter 7

**TRUSTEE'S THIRD INTERIM APPLICATION FOR
COMPUTER EXPERT FOR PAYMENT OF FEES**

NO HEARING WILL BE CONDUCTED ON THIS MOTION UNLESS A WRITTEN OBJECTION IS FILED WITH THE CLERK OF THE UNITED STATES BANKRUPTCY COURT AND SERVED UPON THE PARTY FILING THIS PLEADING WITHIN TWENTY-ONE (21) DAYS FROM DATE OF SERVICE UNLESS THE COURT SHORTENS OR EXTENDS THE TIME FOR FILING SUCH OBJECTION. IF NO OBJECTION IS TIMELY SERVED AND FILED, THIS PLEADING SHALL BE DEEMED TO BE UNOPPOSED, AND THE COURT MAY ENTER AN ORDER GRANTING THE RELIEF SOUGHT. IF AN OBJECTION IS FILED AND SERVED IN A TIMELY MANNER, THE COURT WILL THEREAFTER SET A HEARING. IF YOU FAIL TO APPEAR AT THE HEARING, YOUR OBJECTION MAY BE STRICKEN. THE COURT RESERVES THE RIGHT TO SET A HEARING ON ANY MATTER.

COMES NOW Mark A. Weisbart, Chapter 7 Trustee ("Trustee") in the above-numbered bankruptcy case, and files this Third Interim Application for Computer Expert for Payment of Fees and, in support hereof, would show the Court the following:

1. On September 30, 2015, a voluntary petition under Chapter 7 of the Bankruptcy Code was filed by the Debtor. Mark A. Weisbart is the duly appointed Trustee.
2. Trustee is the duly acting and appointed Chapter 7 Trustee in this case.
3. Pursuant to this Motion, Digital Discovery seeks fees totaling \$15,000.00. A copy of the billing statements are attached hereto as Exhibit "A".
4. The services performed by Digital Discovery included the on-site data extraction and transfer of the Debtor's electronic data from multiple servers and an SAP/UNIX system which housed most of the Debtor's financial records.
5. Professional fees incurred by professionals, including computer experts, for a trustee are subject to the standards set forth in the case of *In Re: First Colonial Corp.*, 544 F.2d 1291, 1298-99 (5th Cir. 1977), cert. denied, 431 U.S. 904 (1977). Most of these factors, such as

(i) the novelty or undesirability of the case, (ii) preclusion of other employment (iii) time limitations (iv) requisite skill required and (v) professional's reputation and ability did not present any unique circumstances or issues in this case. Two factors which are considered carefully are the results obtained in the case and time spent by the applicant. The services performed by Digital Discovery are reasonable and were necessary for the administration of this estate.

WHEREFORE, PREMISES CONSIDERED, Trustee requests upon appropriate notice and opportunity for hearing, this Court enter an Order approving the Application of Trustee's Computer Expert for Payment of Fees and grant Applicant such other and further relief to which they are justly entitled.

WHEREFORE, PREMISES CONSIDERED, Trustee prays that the Court enter an order approving this Application and granting Trustee such other and further relief to which he is justly entitled.

Respectfully Submitted,

/s/ Mark A. Weisbart
Mark A. Weisbart
Texas Bar No. 21102650
THE LAW OFFICE OF MARK A. WEISBART
12770 Coit Road, Suite 541
Dallas, Texas 75251
(972) 628-4903 Phone
mark@weisbartlaw.net

COUNSEL FOR CHAPTER 7 TRUSTEE

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing document was served on the parties listed on the attached mailing matrix either through the Court's electronic notification system as permitted by Appendix 5005 to the Local Rules of the U.S. Bankruptcy Court for the Eastern District of Texas or by first class mail, postage prepaid, on this 1st day of May, 2017.

/s/ Mark A. Weisbart
Mark A. Weisbart

Digital Discovery

**8131 LBJ Freeway, Suite 325
Dallas, TX 75251
972-774-1500**

Invoice

| | |
|----------------------|------------|
| Invoice #: | 2922 |
| Invoice Date: | 12/30/2016 |

Bill To:

Law Offices of Mark Weisbart
12770 Coit Road, Ste. 541
Dallas, TX 75251
Attn: Mark Weisbart

| | | |
|----------------|-----|------------|
| Terms | Rep | Client |
| Due on receipt | SPD | Interphase |

| Description | Hours/Qty | Rate | Amount |
|--|-----------|----------|----------|
| Rental and storage for virtual server based system (per month - Jan 2017 thru March 2017). | 3 | 2,500.00 | 7,500.00 |

| |
|--------------|
| Project # |
| 20151010-WIC |

| | |
|--------------------------|------------|
| Subtotal | \$7,500.00 |
| Sales Tax (8.25%) | \$0.00 |
| Total | \$7,500.00 |
| Payments/Credits | \$0.00 |
| Balance Due | \$7,500.00 |

Digital Discovery

**8131 LBJ Freeway, Suite 325
Dallas, TX 75251
972-774-1500**

Invoice

| | |
|----------------------|-----------|
| Invoice #: | 3022 |
| Invoice Date: | 3/31/2017 |

Bill To:

Law Offices of Mark Weisbart
12770 Coit Road, Ste. 541
Dallas, TX 75251
Attn: Mark Weisbart

| | | |
|----------------|-----|------------|
| Terms | Rep | Client |
| Due on receipt | SPD | Interphase |

| Description | Hours/Qty | Rate | Amount |
|---|-----------|----------|----------|
| Rental and storage for virtual server based system (per month - April 2017 thru June 2017). | 3 | 2,500.00 | 7,500.00 |

| |
|--------------|
| Project # |
| 20151010-WIC |

| | |
|--------------------------|------------|
| Subtotal | \$7,500.00 |
| Sales Tax (8.25%) | \$0.00 |
| Total | \$7,500.00 |
| Payments/Credits | \$0.00 |
| Balance Due | \$7,500.00 |

Label Matrix for local noticing
0540-4
Case 15-41732
Eastern District of Texas
Sherman
Mon May 1 12:19:35 CDT 2017

Alcatel-Lucent International
William Hagerman
1960 Lucent Lane
Naperville, IL 60563-1594

Anydata Corporation
5 Oldfield
Irvine, CA 92618-2840

Arrow Electronics Inc.
c/o NAC Risk Recovery
9201 E. Dry Creek Road
Englewood, Co 80112-2818

Avnet, Inc.
5400 Prairie Stone Pkwy
Hoffman Estates, IL 60192-3721

B.E. Capital Management Fund LP
205 East 42nd Street, 14th Floor
New York, NY 10017-5706

Evan R. Baker
1601 Elm Street
Suite 3000
Dallas, TX 75201-4757

Bankruptcy Section MS A340
Franchise Tax Board
P O Box 2952
Sacramento, CA 95812-2952

CBT Technology Inc.
Atrenne Computing Solutions
10 Mupac Drive
Brockton, MS 02301-5548

Shawn M. Christianson
55 Second St., 17th Fl.
San Francisco, CA 94105-3491

City of Carrollton
c/o Laurie Spindler Huffman
Linebarger Goggan Blair & Sampson, LLP
2777 N Stemmons Freeway Suite 1000
Dallas, TX 75207-2328

Comptroller of Public Accounts
c/o Office of the Attorney General
Bankruptcy - Collections Division MC-008
PO Box 12548
Austin TX 78711-2548
(78711-2548

Computershare Trust Co. Inc.
100 University Ave, 8th Fl.
Toroonto, ON Msj241

Denton County
c/o Lee Gordon
P.O. Box 1269
Round Rock, Texas 78680-1269

Department Of Health and Human Services
Jeffrey Grant
7500 Security Blvd, Mail Stop WV-22-75
Baltimore, MD 21244-1849

Digi-Key Corporation
PO Box 677
Thief River Falls, MN 56701-0677

Ernst And Young Societe D'Avocoats
Tour First-TSA 14444
Paris-La Defense, FR 92037

FedEx TechConnect, Inc.
Attn: Revenue Recovery/Bankruptcy
3965 Airways Blvd. Module G.,3rd Floor
Memphis,TN 38116-5017

Finnish Tax Administration
Collection and Recovery Unit of
Southern Finland
P.O. Box 6002
FI-0052-Vero Finland

Future Electronics
c/o Diane Svendsen
41 Main St.
Bolton, MA 01740-1134

GECITS - Bankruptcy
P O Box 13708
Macon, GA 31208-3708

GENBAND US LLC AND ITS SUBSIDIARIES
c/o Caroline R. Penninck, Esq.
3208 Fannin Lane
Grapevine, Texas 76092
Email: cpenninck@gchub.com
Phone 76092-3328

(p)MICHAEL REED OR LEE GORDON
PO BOX 1269
ROUND ROCK TX 78680-1269

Gregory B. Kalush
2402 Danbury Dr.
Colleyville, TX 76034-5424

Illinois Secretary of State
Dept of Business Services
350 Howlett Building
Springfield, IL 62756-0001

Internal Revenue Service
P.O. Box 7346
Philadelphia, PA 19101-7346

Interphase Corporation
4240 International Pkwy
Suite 105
Carrollton, TX 75007-1985

James C. Poole, Jr.
8136 Westlakes Place
Montgomery, AL 36117-5156

Jennifer J. Kosharek
658 Point Loma Dr.
Frisco, TX 75034-8892

John J. Kane
Kane Russell Coleman & Logan PC
1601 Elm St. Suite 3700
Dallas, TX 75201-7207

| | | |
|--|---|--|
| Level 3 Communications(Legal Dept. Bky) 1025 Eldorado Blvd Broomfield Co 80021-8869 | Marlin Business Bank 300 Fellowship Rd. Mt. Laurel, NJ 08054-1201 | Massachusetts Department of Revenue Bankruptcy Unit P. O. Box 9564 Boston, MA 02114-9564 |
| Holland Neff O'Neil Gardere Wynne Sewell LLP 2021 McKinney Avenue Suite 1600 Dallas, TX 75201-4761 | Caroline Penninck 1445 Ross Avenue, Suite 3700 Dallas, TX 75202-2755 | Rimini Street, Inc. 6601 Koll Center Parkway, Suite 300 Pleasanton, CA 94566-3127 |
| SAP America, Inc. Brown & Connery, LLP 6N. Broad Street c/o Donald Ludman, Esq Woodbury, NJ 08096-4635 | George C. Scherer Law Office of Robert Luna, PC 4411 N. Central Expy. Dallas, TX 75205-4210 | Laurie A. Spindler Linebarger, Goggan, Blair & Sampson 2777 N. Stemmons Frwy Ste 1000 Dallas, TX 75207-2328 |
| State Of California Bankruptcy Section MS A340 Franchise Tax Board PO Box 2952 Sacramento, CA 95812-2952 | State of Florida - Department of Revenue Post Office Box 6668 Tallahassee, FL 32314-6668 | TTI, Inc. 2441 Northeast Parkway Fort Worth, TX 76106-1816 |
| US Trustee Office of the U.S. Trustee 110 N. College Ave. Suite 300 Tyler, TX 75702-7231 | Uusimaa ELY Centre P.O. Box 54 FI-00521 Helsinki Finland | VL Capital Management LLC 319 West 101st Street, Apartment 5 New York, NY 10025-8486 |
| Washington State Department Of Labor & Industries PO Box 44171 Olympia, WA 98504-4171 | Mark A. Weisbart The Law Office of Mark A. Weisbart 12770 Coit Road, Suite 541 Dallas, TX 75251-1366 | Yoram Solomon 2700 Big Creek Ct. Plano, TX 75093-3362 |

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

Lee Gordon
McCreary Veselka Bragg & Allen, PC
PO Box 1269
Round Rock, TX 78665

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

| | | |
|--|--|--|
| (d)Mark A. Weisbart The Law Office of Mark A. Weisbart 12770 Coit Road, Suite 541 Dallas, TX 75251-1366 | (d)Mark A. Weisbart The Law Office of Mark A. Weisbart 12770 Coit Road, Suite 541 Dallas, TX 75251-1366 | End of Label Matrix Mailable recipients 47 Bypassed recipients 2 Total 49 |
|--|--|--|